

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTON

CENTRAL EXCISE APPEAL NO.73 OF 2006

The Commissioner of Central Excise & Customs, Nasik	.. Appellant.
Versus	
M/s.Ravi Enterprises	.. Respondent.

CENTRAL EXCISE APPEAL NO.75 OF 2006

The Commissioner of Central Excise & Customs, Nasik	.. Appellant.
Versus	
M/s.Almas Textile	.. Respondent.

CENTRAL EXCISE APPEAL NO.76 OF 2006

The Commissioner of Central Excise & Customs, Nasik	.. Appellant.
Versus	
M/s.Monarch Creative	.. Respondent.

CENTRAL EXCISE APPEAL NO.78 OF 2006

The Commissioner of Central Excise & Customs, Nasik	.. Appellant.
Versus	
Shri Bihari Bhai Patel	.. Respondent.

CENTRAL EXCISE APPEAL NO.79 OF 2006

The Commissioner of Central Excise & Customs, Nasik	.. Appellant.
Versus	
M/s.Almas Textiles	.. Respondent.

CENTRAL EXCISE APPEAL NO.80 OF 2006

The Commissioner of Central Excise & Customs, Nasik	.. Appellant.
Versus	
M/s.Omi Textiles	.. Respondent.

CENTRAL EXCISE APPEAL NO.81 OF 2006

The Commissioner of Central Excise & Customs, Nasik	.. Appellant.
Versus	
M/s.Bihari Bhai Patel	.. Respondent.

CENTRAL EXCISE APPEAL NO.113 OF 2006

The Commissioner of Central Excise & Customs, Nasik	.. Appellant.
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DATED : 26TH JULY, 2007.

1. Matters not on board. By consent of the parties taken up on board and heard forthwith.

2. These appeals were admitted it appears apparently in the absence of the respondents. Today, on the question of law on which the appeals were admitted, the issue had come up before us in Central Excise Appeal No.170 of 2006, which has been disposed of by us by a separate order, holding that the issue involves relates to rate of duty. On an interpretation of the Notification, this Court held that it would have no jurisdiction.

3. In the light of that, the appeals as filed are dismissed with liberty to the appellants in all these appeals to move the Hon'ble Supreme Court in terms of the order passed by us in Central Excise Appeal No.170 of 2006.

4. There shall be no order as to costs.

(F.I. REBELLO, J.)

(J.P. DEVADHAR, J.)